

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Mandol T. Ruggs
Irene E. Ruggs
Debtor(s)

Bankruptcy Case No.: 19-23167-JAD
Issued Per Oct. 3, 2019 Proceeding
Chapter: 13
Docket No.: 30 - 2
Concil. Conf.: February 27, 2020 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated Augsut 12, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 27, 2020 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 1; I.R.S. at Claim No. 5; Quicken Loans, Inc. at Claim No. 6; City and School District if Pittsburgh at Claim No. 8 .
- ☒ H. Additional Terms: The U.S. Department of Education is to be paid maintenance payments per Plan.
The claim of Navient Solutions, LLC (Claim No. 7) shall be paid maintenance payments per Plan.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 8, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Mandol T. Ruggs
 Irene E. Ruggs
 Debtors

Case No. 19-23167-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 38

Date Rcvd: Oct 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 10, 2019.

db/jdb
 cr
 Mandol T. Ruggs, Irene E. Ruggs, 304 Sunnyland Avenue, Pittsburgh, PA 15227-1841
 +City and School District of Pittsburgh, Goehring, Rutter & Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES OF AMERICA 15219-6101
 15103099 Capital One Bank (USA), N.A., PO Box 71087, Charlotte, NC 28272-1087
 15103098 Capital One Bank (USA), N.A., c/o Law Offices of Hayt, Hayt, & Landau,, 123 S. Broad Street,
 Suite 1660, Philadelphia, PA 19109-1003
 15127300 +City and School District of Pittsburgh, Goehring, Rutter & Boehm,
 c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 15103100 +Coll. Service Center, P.O. Box 560, New Kensington, PA 15068-0560
 15103101 +Credit Acceptance Corp., 25505 West Twelve Mile Road, Suite 3000,
 Southfield, MI 48034-8331
 15129491 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 55116-0408
 15103106 +Fedloan Servicing, Department of Education, PO Box 60610, Harrisburg, PA 17106-0610
 15103105 #Fedloan Servicing, Department of Education, PO Box 530210, Atlanta, GA 30353-0210
 15103107 +First Premier Bank, 3820 N. Louise Ave., Sioux Falls, SD 57107-0145
 15103109 +Med Express Billing, PO Box 7964, Belfast, ME 04915-7900
 15122610 +Navient Solutions, LLC. on behalf of, Educational Credit Management Corporatio,
 PO BOX 16408, St. Paul, MN 55116-0408
 15103405 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15127614 Pendrick Capital Partners II, LLC, Peritus Portfolio Services II, LLC, PO BOX 141419,
 IRVING, TX 75014-1419
 15127615 Pendrick Capital Partners, LLC, Peritus Portfolio Services II, LLC, PO BOX 141419,
 IRVING, TX 75014-1419

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 +E-mail/Text: kburkley@bernsteinlaw.com Oct 09 2019 02:57:13 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr
 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 09 2019 03:04:00
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15103102 E-mail/Text: mrdiscen@discover.com Oct 09 2019 02:56:17 Discover Financial Services,
 P.O. Box 15316, Wilmington, DE 19850
 15106671 E-mail/Text: mrdiscen@discover.com Oct 09 2019 02:56:17 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15103103 +E-mail/Text: bknotice@ercbpo.com Oct 09 2019 02:56:55 Enhanced Recovery Corp.,
 8014 Bayberry RD, Jacksonville, FL 32256-7412
 15103104 +E-mail/Text: bknotice@ercbpo.com Oct 09 2019 02:56:55 Enhanced Recovery Corp.,
 P.O.Box 57547, Jacksonville, FL 32241-7547
 15103108 E-mail/Text: cio.bncmail@irs.gov Oct 09 2019 02:56:22 IRS Dept of Treasury,
 1001 Liberty Avenue, Suite 1300, Pgh, PA 15222
 15105856 E-mail/PDF: resurgentbknofications@resurgent.com Oct 09 2019 03:04:04 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15103110 +E-mail/PDF: pa_dc_claims@navient.com Oct 09 2019 03:04:01 Navient, 123 Justison Street,
 3rd Floor, Wilmington, DE 19801-5363
 15103111 E-mail/Text: info@phoenixfinancialsvcs.com Oct 09 2019 02:56:16 Phoenix Financial Services,
 8902 Otis Avenue, Ste 103A, Indianapolis, IN 46236-1450
 15103112 E-mail/Text: info@phoenixfinancialsvcs.com Oct 09 2019 02:56:16 Phoenix Financial Services,
 PO Box 361450, Indianapolis, IN 46236
 15103114 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 09 2019 03:26:44
 Portfolio Recovery Associates, LLC, 120 Corporate Blvd, Suite 100, Norfolk, VA 23502
 15105610 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 09 2019 02:56:39
 Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946,
 Harrisburg, PA 17128-0946
 15103113 +E-mail/Text: tvincequerra@chromefcu.org Oct 09 2019 02:57:07 Pittsburgh Central FCU,
 2601 Wexford Bayne Road, Sewickley, PA 15143-4029
 15132502 +E-mail/Text: JCAP_BNC_Notices@jcap.com Oct 09 2019 02:57:00 Premier Bankcard, Llc,
 Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
 15103115 +E-mail/Text: bankruptcyteam@quickenloans.com Oct 09 2019 02:57:02 Quicken Loans,
 1050 Woodward Avenue, Detroit, MI 48226-1906
 15114384 +E-mail/Text: bankruptcyteam@quickenloans.com Oct 09 2019 02:57:02 Quicken Loans Inc.,
 635 Woodward Avenue, Detroit, MI 48226-3408
 15103116 +E-mail/PDF: RACBANKRUPTCY@BBANDT.COM Oct 09 2019 03:04:01 Regional Acceptance Corporation,
 1424 East Fire Tower Road, Greenville, NC 27858-4105
 15109516 E-mail/PDF: RACBANKRUPTCY@BBANDT.COM Oct 09 2019 03:04:01 Regional Acceptance Corporation,
 PO Box 1847, Wilson, NC 27894-1847
 15103117 +E-mail/PDF: resurgentbknofications@resurgent.com Oct 09 2019 03:04:04
 Resurgent Capital Services, PO Box 1269, Greenville, SC 29602-1269
 15103118 E-mail/Text: appebnmailbox@sprint.com Oct 09 2019 02:56:44 Sprint/Nextel Correspondence,
 Attn: Bankruptcy Dept., P.O. Box 7949, Overland Park, KS 66207-0949
 15103119 E-mail/Text: bankruptcydepartment@tsico.com Oct 09 2019 02:57:10 Transworld Systems, Inc,
 P.O. Box 15273, Wilmington, DE 19850-5273

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 38

Date Rcvd: Oct 08, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

TOTAL: 22

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr Quicken Loans Inc.

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 10, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on October 8, 2019 at the address(es) listed below:

Anthony M. Moody on behalf of Joint Debtor Irene E. Ruggs amoody@moodylawoffices.com,
moodyar81455@notify.bestcase.com
Anthony M. Moody on behalf of Debtor Mandol T. Ruggs amoody@moodylawoffices.com,
moodyar81455@notify.bestcase.com
James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7